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REMARKS

Claims 1, 4, 6, 8-11, and 16 are amended. Claims 2, 3, 7, and 12-15 were previously canceled without prejudice or disclaimer. No new matter is added by these amendments. Claims 1, 4-6, 8-11, and 16-20 are pending. Applicant respectfully requests reconsideration and allowance of all claims in view of the amendments above and the remarks that follow.

Claim Rejections Under 35 U.S.C. 102(e)

Claims 1, 4, 6, 8, 11, 16, 17, and 18 are rejected under 35 U.S.C. 102(e) as anticipated by 2002018788 to McKay. Applicant respectfully submits that the claims are patentable over McKay because McKay does not teach each and every claim element arranged as in the claims, as further argued below.

Claim 1 recites a "user-entered message," which is prompted for "in response to the detecting" "that a connection is lost" and which is sent "after the connection is available to the party of the call."

In contrast, McKay at [0040] recites that "[t]he server computer stores the context at which the call was disconnected" and "attempts to restore pre-disconnection status to the connection." But, the McKay "context" is defined at [0032] as "information related to the call that could help reestablish a broken or lost connection" and at [0039] as "the calling party number, the called party number, IP address ..., the type of call, ... the amount of data successfully transmitted ..., any data stored in a transmit buffer, any acknowledgments received." Thus, the McKay context does not teach or suggest the "user-entered message" of claim 1 because none of the items in the McKay context are entered by a user in response to detecting a lost connection, as recited in claim 1. In fact, all of the items in the McKay context are in existence at the time the call is broken.

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Also, McKay at [0037] recites that “the server computer may await instructions from the second party ... to attempt a reconnection.” But, the McKay instructions do not teach or suggest the “user-entered message” of claim 1 because the McKay instructions are never sent to the party of the call. Instead, McKay attempts a reconnection in response to the instructions, so McKay has no need to ever send the instructions to the party, and the party has no need to ever receive the instructions. Hence, the McKay instructions also do not teach or suggest the “user-entered message” of claim 1.

Further, the McKay instructions are distinct from and are not a part of the McKay context, so the McKay instructions and the McKay context are different elements that McKay uses for different purposes. Hence, the McKay instructions and context are not arranged as is the “user-entered message” of claim 1, so McKay does not teach each and every claim element arranged as in claim 1.

Claims 6, 11, and 16 include similar elements are previously argued above for claim 1 and are patentable over McKay for similar reasons. Claims 4-5, 8-10, and 17-20 are dependent on claims 1, 6, and 16, respectively, and are patentable over McKay for the reasons argued above plus the elements in the claims.

Claim Rejections Under 35 U.S.C. 103

Claims 5, 9, 10, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKay in view of 20040203948 to Provost. Applicant respectfully submits that the claims are patentable over the references because they do not teach or suggest all of the claim elements, as further argued below.

Claims 5, 9, 10, 19, and 20 are dependent on claims 1, 6, and 16, respectively, and are patentable over McKay for the reasons argued above.

Provost at [0067] recites that “if the manager’s electronic mail server is unavailable (saturation, breakdown, etc.) ..., then the network makes another attempt at sending the acknowledgement in the form of e-mail.” Hence, Provost also does not teach

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or suggest a "user-entered message," which is prompted for "in response to the detecting" "that a connection is lost" and which is sent "after the connection is available to the party of the call," as recited in claim 1 because Provost merely describes additional attempts at sending acknowledgments in response to unavailability of its mail server and has no concept of prompting for a user-entered message if a connection is list.

Claims 6 and 16 include similar elements are previously argued above for claim 1 and are patentable over Provost for similar reasons. Claims 5, 9, 10, 19, and 20 are dependent on claims 1, 6, and 16, respectively, and are patentable over Provost for the reasons argued above plus the elements in the claims. Thus, the combination of McKay and Provost does not teach or suggest all elements in the claims.

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Conclusion

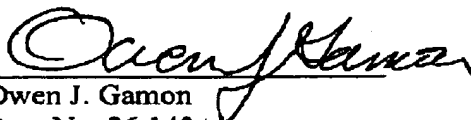
Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (651-645-7135) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 09-0465.

Respectfully submitted,

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By their Representative,



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CERTIFICATE UNDER 37 CFR 1.8: I hereby certify that this correspondence is being transmitted via facsimile to the Commissioner for Patents 571-273-8300, on this 22nd day of February, 2006.

Owen J. Gamon
Name



Signature